



COMMONS REGISTRATION ACT 1965

Reference No 2/U/30  
2/U/31

In the Matters of (1) Wells Recreation Ground and  
(2) School Firs, Burghfield Common, both in Burghfield,  
Bradfield R.D., Berkshire

DECISION

These references relate to the question of the ownership of lands known as (1) Wells Recreation Ground and (2) School Firs, Burghfield Common, both in Burghfield, Bradfield Rural District being the lands comprised in the Land Section of Register Unit Nos VG.36 and VG.37 respectively in the Register of Town or Village Greens maintained by the Berkshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the lands in question and no person claimed to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the lands at Reading on 20 March 1973. The hearing was attended by Burghfield Parish Council who were represented by Mr A N Wicks solicitor of Messrs Collins Dryland & Thorowgood Solicitors of Reading. He agreed that I should hear these two references together.

Mr Wicks, in the course of his evidence produced a deed of gift dated 27 April 1939 held by his firm on behalf of the Council. By it, Mr F A Willink ("the Donor") after reciting that this was in compliance with the wishes of his father Mr H G Willink conveyed two pieces of land described in the Schedule to the Parish Council and the Council covenanted with the Donor that they would preserve and maintain the pieces of land unbuilt upon and as open spaces and as parts of the amenities of Burghfield Common for the benefit and enjoyment of the inhabitants of the parish of Burghfield. The Schedule described two pieces of land by reference to the plan the first "The School Firs ... situate on Burghfield Common ... an area of about three acres and twelve poles ..." and the second "formerly known as the Gravel Pit and now known as the Triangle Burghfield ... an area of two roods ...".

Mr Wicks said he had no personal knowledge of the land but he produced a letter signed by Mr J W West clerk of the Burghfield Parish Council (which I accept as evidence by him) that Wells Recreation Ground is also known locally as either The Triangle or The Gravel Pit.

Mr J O H Kirkwood giving evidence said that he had known the School Firs as an open piece of land for 50 years, and that it is valuable amenity land next to the old school. He identified it with the land first described in the deed of gift.

On the evidence outlined above I am satisfied that the Parish Council is the owner of the lands and I shall accordingly direct the Berkshire County Council, as registration authority, to register Burghfield Parish Council as the owner of the land under section 8(2) of the Act of 1965.



I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 29<sup>th</sup> day of March 1973

*a. a. Baden Fuller.*

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COMMONS COMMISSIONER